

**FRIEND OF THE COURT ASSOCIATION OF MICHIGAN**  
**POSITION STATEMENT**

RE: Supreme Court ADM 2009-09  
Proposal to Require a Court to Submit an LAO to SCAO  
When Appointing Magistrates and Referees

The Board of Directors has authorized the submission of this position statement as formal comment on the proposed requirement.

The Friend of the Court Association recognizes the merit of the proposal and supports the proposed requirement in principle. However, we suggest what we believe to be a more efficient process for documentation required as follows:

“A. Each court that appoints a magistrate or referee shall ~~submit a local administrative order~~ **DESIGNATE THE APPOINTMENT IN WRITING ON A FORM REQUIRED BY THE STATE COURT ADMINISTRATIVE OFFICE AND PROVIDE A COMPLETED COPY OF THE FORM** to the State Court Administrative Office ~~that identifies an individual appointed as a magistrate or referee~~. The ~~local administrative order~~ **FORM** shall include the name and contact information for the individual and the date the appointment is or was effective.

B. Further, each court that appoints a magistrate or referee shall **SUBMIT A LOCAL ADMINISTRATIVE ORDER WHICH** describes the scope of the authority conferred by the court on the magistrateS or refereeS.

C. It is the responsibility of a magistrate or referee to notify the State Court Administrative Office of changes in the individual’s contact information during the course of the appointment **BY FILING A FORM FOR THAT PURPOSE PRESCRIBED BY THE STATE COURT ADMINISTRATIVE OFFICE.**

**COMMENT:** It is the intent of this alternative to separate the scope requirements from the appointment process. We believe the scope duties in a court of magistrates and referees is a continuing matter which should not be unique to a specific magistrate or referee in multiple magistrate or referee courts. The appointment of persons to serve as a magistrate or referee is more transitory in nature and could be documented and reported to SCAO simply by a written notice. The foregoing suggested alternative language would also serve to reduce the chance for inadvertent differences in scope language that might occur if scope is part of an appointment LAO in multiple magistrate or referee courts.

